

NOV 02 2004

**McDermott  
Will & Emery**

Boston Brussels Chicago Dusseldorf London Los Angeles Miami Milan  
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

**FACSIMILE**

**Time Sent:**

**Re:** US Patent Application 10/025,095, filed December 18, 2001

**Attached please find:**

- 1) Associate Power of Attorney, associating in Arman Nadershahi, Reg. No. 55,479, as attorney for this application; and
- 2) Examiner Interview Request, for November 4, 2004 or November 5, 2004 at 2 p.m. E.S.T. (11 a.m. P.S.T.).

**Please contact us to confirm which date is acceptable for the examiner interview.**

Thanks very much!

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL JESSICA BROWN AT (310) 284-6173 AS SOON AS POSSIBLE.

**Main Facsimile: 310.277.4730      Facsimile Operator: 310.788.4170**

**U.S. practice conducted through McDermott Will & Emery LLP.**  
**2049 Century Park East 34th Floor Los Angeles, California 90067-3208 Telephone 310.277.4110**

14504 1371422-1.064693.0015

PAGE 1/3 \* RCVD AT 11/2/2004 7:15:52 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729306 \* CSID: \* DURATION (mm-ss):01-16

RECEIVED  
CENTRAL FAX CENTER

Docket No.: 64693-015

NOV 02 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

LOEB, Gerald E.

Serial No.: 10/025,095

Group Art Unit: 1637

Filed: December 18, 2001

Examiner: RILEY, Jezia

For: METHOD AND APPARATUS TO IDENTIFY SMALL VARIATIONS OF  
BIOMOLECULES

CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. 81.6(d) and 1.9)

I hereby certify that this correspondence is being faxed the United States Postal Service addressed to Examiner Jezia RILEY, Art Unit 1637, Commissioner for Patents, facsimile number: (703) 872-9306, on the date indicated below.

Date NOV. 2, 2004

  
JESSICA B. BROWN

ASSOCIATE POWER OF ATTORNEY

Commissioner for Patents

Art Unit 1637

Facsimile Number: (703) 872-9306

Sir:

The undersigned agent of record for the above-identified patent application hereby associates the following attorney with full power to prosecute the application, to make alterations and amendments therein, and to transact all business in the United States Patent Office connected therewith.

Arman Nadershahi, Reg. No. 55,479  
Alfred E. Mann Institute for  
Biomedical Engineering at the  
University of Southern California  
1042 Downey Way DRB B21  
Los Angeles, CA 90089-1112

Please continue to address all communications to the undersigned attorney of record.

Respectfully submitted,

Date: November 2, 2004

  
Marc E. Brown, Reg. No. 28,590  
Attorney for Applicant

McDERMOTT WILL & EMERY LLP  
2049 Cennury Park East, Suite 3400, Los Angeles, CA 90067  
telephone: (310) 277-4110  
facsimile: (310) 277-4730  
LAS99 1371354-1.064693 0015

PTOL-413A (03-03)  
Approved for use through 10/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No.: 10 / 025,095 First Named Applicant: LOEB, Gerald E.  
Examiner: RILEY, Jezia Art Unit: 1637 Status of Application: Pending

Tentative Participants:  
(1) Arman Nadershani, Reg. No. 55,479 (2) Krista Vink Venegas

(3) Jezia Riley (4) \_\_\_\_\_

Proposed Date of Interview: 11/4 or 11/5 Proposed Time: 11 A.M. PST AM/PM

Type of Interview Requested:  
(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO  
If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1,4-7,9,11,13</u>	<u>5,966,410</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

#### Brief Description of Arguments to be Presented:

- The examiner rejected claims 1,4-7,9,11, and 13 as being unpatentable over US patent No. 5,966,410 to Chow. Chow does not teach measuring the rate of binding or reaction between the variants and at least one reactant at discrete locations at discrete times. Chow does not teach quantification of variants.
- Chow teaches away from the present invention in requiring that bulk fluid of their device is pulled along.

An interview was conducted on the above-identified application on \_\_\_\_\_

#### NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature)

\_\_\_\_\_  
(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*